

stroke width not less than 0.3 inches (0.8 centimeter). In addition, the words "INHERENTLY LOW-EMISSION VEHICLE" must be present in lettering no smaller than 0.6 inches (1.5 centimeters) high. Nothing shall be added to the label which impairs readability. Labels shall include a serialized identification number; or

(B) The label shall consist of a white truncated-circular background, approximately 5 inches (12.5 centimeters) in diameter by 3.5 inches (8.8 centimeters) in height. The bottom edge of the truncated-circular background shall be approximately 1 inch (2.5 centimeters) from the center. The acronym "ILEV" shall be printed on the label in contrasting block capital letters at least 1 inch (2.5 centimeters) tall and 0.8 inches (2.0 centimeters) wide with a stroke width not less than 0.3 inches (0.8 centimeters). In addition, the words "CLEAN AIR VEHICLE" must be present in lettering no smaller than 0.4 inches (1.0 centimeter) high. Nothing shall be added to the label which impairs readability. Labels shall include a serialized identification number.

(d) *Label removal.* Fleet ILEV owners shall remove and dispose of the ILEV labels on a vehicle before selling or transferring ownership of an ILEV or offering it for lease (unless the ILEV is part of a daily rental fleet) or long-term loan. This provision shall not apply if the person who is receiving the vehicle demonstrates eligibility for expanded TCM exemptions under the federal ILEV program as described in paragraph (b) of this section, or is otherwise qualified under state regulations which expressly expand ILEV label eligibility.

(e) *Label replacement.* (1) The manufacturer shall make replacement ILEV labels available to the fleet owner of a qualifying ILEV to replace any ILEV label which has been lost or removed due to vehicle damage, repair, sale, or lease. The fleet owner's request shall include proof of ownership of the ILEV in question and proof of the fleet owner's eligibility for ILEV TCM exemptions, as outlined in paragraph (c) of this section. Each label shall be imprinted with the same serial number as initially assigned to the damaged/miss-

ing ILEV label(s) for that vehicle. Any portion of a damaged label remaining on the ILEV shall be removed from the vehicle and submitted with the request as proof of loss.

(2) Upon receipt of the replacement ILEV label(s), the fleet owner shall attach the new ILEV label(s) only to the vehicle for which replacement ILEV label(s) were requested.

[58 FR 11901, Mar. 1, 1993, as amended at 61 FR 128, Jan. 3, 1996]

§88.313-93 Incentives for the purchase of Inherently Low-Emission Vehicles.

(a) *Administration.* (1) The incentives granted to ILEVs provided in this section are not effective outside of non-attainment areas for which states are required to establish CFFV programs under section 246 of the CAA, unless specifically added by states for qualifying vehicles.

(2) Incentives for purchasing ILEVs shall not be transferred between vehicles within the same fleet nor shall they be sold or traded.

(3) No vehicle over 26,000 pounds (11,800 kilograms) GVWR shall be eligible for the following ILEV incentives.

(b) *Exemption from temporal TCMs.* A fleet vehicle which has been certified and labeled as an ILEV according to the provisions of this section and which continues to be in compliance with applicable emissions standards and other ILEV program requirements shall be exempted from TCMs existing for air quality reasons included in approved state implementation plans which restrict vehicle usage based primarily on temporal considerations, such as time-of-day and day-of-week exemptions.

(c) *Exemption from high-occupancy vehicle lane restrictions.* (1) A fleet vehicle which has been certified and labeled as an ILEV according to the provisions of §§88.311 and 88.312 and which continues to be in compliance with applicable emissions standards and other ILEV program requirements shall be exempt from TCMs which restrict a vehicle's access to certain roadway lanes based

Environmental Protection Agency

§ 88.313–93

on the number of occupants in that vehicle, usually known as high-occupancy vehicle (HOV) lanes. These exemptions shall not apply if they would create a clear and direct safety hazard.

(2) In a state containing a covered area, or areas, the governor may petition the Administrator for a waiver from the exemption from HOV lane restrictions for ILEVs for any section of HOV lane in the covered area(s) that can be shown to be congested primarily

due to the operation or projected operation of ILEVs. The waiver application shall demonstrate the infeasibility of other means of alleviating HOV/CAV lane congestion, such as adding an additional HOV/CAV lane, further increasing vehicle occupancy requirements and reducing the use of the lane by noneligible vehicles.

TABLES TO SUBPART C OF PART 88

TABLE C94–1.—FLEET CREDIT TABLE BASED ON REDUCTION IN NMOG. VEHICLE EQUIVALENTS FOR LIGHT-DUTY VEHICLES AND LIGHT-DUTY TRUCKS

TABLE C94–1.1.—CREDIT GENERATION: PURCHASING MORE CLEAN-FUEL VEHICLES THAN REQUIRED BY THE MANDATE

NMOG	LDV, LDT ≤6000 GVWR, ≤3750 LVW	LDT ≤6000 GVWR, >3750 LVW ≤5750 LVW	LDT >6000 GVWR, ≤3750 ALVW	LDT >6000 GVWR, >3750 ALVW ≤5750 ALVW	LDT >6000 GVWR, >5750 ALVW
LEV	1.00	1.26	0.71	0.91	1.11
ULEV	1.20	1.54	1.00	1.26	1.56
ZEV	1.43	1.83	1.43	1.83	2.23

TABLE C94–1.2.—CREDIT GENERATION: PURCHASING A ULEV OR ZEV TO MEET THE MANDATE

NMOG	LDV, LDT ≤6000 GVWR, ≤3750 LVW	LDT 1≤6000 GVWR, >3750 LVW ≤5750 LVW	LDT >6000 GVWR, ≤3750 ALVW	LDT >6000 GVWR, >3750 ALVW, ≤5750 ALVW	LDT >6000 GVWR, >5750 ALVW
LEV	0.00	0.00	0.00	0.00	0.00
ULEV	0.20	0.29	0.29	0.34	0.45
ZEV	0.43	0.57	0.71	0.91	1.11

TABLE C94–1.3.—CREDIT NEEDED IN LIEU OF PURCHASING A LEV TO MEET THE MANDATE

NMOG	LDV, LDT ≤6000 GVWR, ≤3750 LVW	LDT ≤6000 GVWR, >3750 LVW ≤5750 LVW	LDT >6000 GVWR, ≤3750 ALVW	LDT >6000 GVWR, >3750 ALVW ≤5750 ALVW	LDT >6000 GVWR, ≤5750 ALVW
LEV	1.00	1.26	0.71	0.91	1.11

TABLE C94–2.—FLEET CREDIT TABLE BASED ON REDUCTION IN NMOG+NO_x. VEHICLE EQUIVALENTS FOR LIGHT-DUTY VEHICLES AND LIGHT-DUTY TRUCKS

TABLE C94–2.1.—CREDIT GENERATION: PURCHASING MORE CLEAN-FUEL VEHICLES THAN REQUIRED BY THE MANDATE

NMOG+NO _x	LDV, LDT ≤6000 GVWR, ≤3750 LVW	LDT ≤6000 GVWR, >3750 LVW ≤5750 LVW	LDT >6000 GVWR, ≤3750 ALVW	LDT >6000 GVWR, >3750 ALVW ≤5750 ALVW	LDT >6000 GVWR, >5750 ALVW
LEV	1.00	1.39	0.33	0.43	0.52

TABLE C94–2.—FLEET CREDIT TABLE BASED ON REDUCTION IN NMOG+NO_x. VEHICLE EQUIVALENTS FOR LIGHT-DUTY VEHICLES AND LIGHT-DUTY TRUCKS—Continued

TABLE C94–2.1.—CREDIT GENERATION: PURCHASING MORE CLEAN-FUEL VEHICLES THAN REQUIRED BY THE MANDATE

NMOG+NO _x	LDV, LDT ≤6000 GVWR, ≤3750 LVW	LDT ≤6000 GVWR, >3750 LVW ≤5750 LVW	LDT >6000 GVWR, ≤3750 ALVW	LDT >6000 GVWR, >3750 ALVW ≤5750 ALVW	LDT >6000 GVWR, >5750 ALVW
ULEV	1.09	1.52	1.00	1.39	2.06
ZEV	1.73	2.72	1.73	2.72	3.97

TABLE C94–2.2.—CREDIT GENERATION: PURCHASING A ULEV OR ZEV TO MEET THE MANDATE

NMOG+NO _x	LDV, LDT ≤6000 GVWR, ≤3750 LVW	LDT ≤6000 GVWR, >3750 LVW ≤5750 LVW	LDT >6000 GVWR, ≤3750 ALVW	LDT >6000 GVWR, >3750 ALVW ≤5750 ALVW	LDT >6000 GVWR, >5750 ALVW
LEV	0.00	0.00	0.00	0.00	0.00
ULEV	0.09	0.13	0.67	0.96	1.54
ZEV	0.73	1.34	1.40	2.29	3.45

TABLE C94–2.3.—CREDIT NEEDED IN LIEU OF PURCHASING A LEV TO MEET THE MANDATE

NMOG+NO _x	LDV, LDT ≤6000 GVWR, ≤3750 LVW	LDT ≤6000 GVWR, >3750 LVW ≤5750 LVW	LDT ≤6000 GVWR, ≤3750 ALVW	LDT >6000 GVWR, >3750 ALVW ≤5750 ALVW	LDT >6000 GVWR, >5750 ALVW
LEV	1.00	1.39	0.33	0.43	0.52

TABLE C94–3.—FLEET CREDIT TABLE BASED ON REDUCTION IN CARBON MONOXIDE. VEHICLE EQUIVALENTS FOR LIGHT-DUTY VEHICLES AND LIGHT-DUTY TRUCKS

TABLE C94–3.1.—CREDIT GENERATION: PURCHASING MORE CLEAN-FUEL VEHICLES THAN REQUIRED BY THE MANDATE

CO	LDV, LDT ≤6000 GVWR, ≤3750 LVW	LDT ≤6000 GVWR, >3750 LVW ≤5750 LVW	LDT ≤6000 GVWR, ≤3750 ALVW	LDT >6000 GVWR, >3750 ALVW ≤5750 ALVW	LDT >6000 GVWR, >5750 ALVW
LEV	1.00	1.00	1.00	1.00	1.00
ULEV	2.00	2.29	2.00	2.29	2.47
ZEV	3.00	3.59	3.00	3.59	3.94

TABLE C94–3.2.—CREDIT GENERATION: PURCHASING A ULEV OR ZEV TO MEET THE MANDATE

CO	LDV, LDT ≤6000 GVWR, ≤3750 LVW	LDT ≤6000 GVWR, >3750 LVW ≤5750 LVW	LDT >6000 GVWR, ≤3750 ALVW	LDT >6000 GVWR, >3750 ALVW ≤5750 ALVW	LDT >6000 GVWR, >5750 ALVW
LEV	0.00	0.00	0.00	0.00	0.00
ULEV	1.00	1.00	1.00	1.00	1.00

TABLE C94-3.2.—CREDIT GENERATION: PURCHASING A ULEV OR ZEV TO MEET THE MANDATE—
Continued

CO	LDV, LDT ≤6000 GVWR, ≤3750 LVW	LDT ≤6000 GVWR, >3750 LVW ≤5750 LVW	LDT >6000 GVWR, ≤3750 ALVW	LDT >6000 GVWR, >3750 ALVW ≤5750 ALVW	LDT >6000 GVWR, >5750 ALVW
ZEV	2.00	2.29	2.00	2.29	2.47

TABLE C94-3.3.—CREDIT NEEDED IN LIEU OF PURCHASING A LEV TO MEET THE MANDATE

CO	LDV, LDT ≤6000 GVWR, ≤3750 LVW	LDT ≤6000 GVWR, >3750 LVW ≤5750 LVW	LDT >6000 GVWR, ≤3750 ALVW	LDT >6000 GVWR, >3750 ALVW ≤5750 ALVW	LDT >6000 GVWR, >5750 ALVW
LEV	1.00	1.00	1.00	1.00	1.00

TABLE C94-4.—FLEET CREDIT TABLE BASED ON
REDUCTION IN NMHC+NO_x. VEHICLE EQUIVA-
LENTS FOR HEAVY-DUTY VEHICLES—TABLE
C94-4.1.—CREDIT GENERATION: PURCHAS-
ING MORE CLEAN-FUEL VEHICLES THAN RE-
QUIRED BY THE MANDATE

NMHC+NO _x	Light HDV	Medium HDV	Heavy HDV
LEV	1.00	1.00	1.00
ULEV	1.87	1.87	1.87
ZEV	3.53	3.53	3.53

TABLE C94-4.2.—CREDIT GENERATION: PUR-
CHASING A ULEV OR ZEV TO MEET THE MAN-
DATE

NMHC+NO _x	Light HDV	Medium HDV
LEV	0.00	0.00
ULEV	0.87	0.87
ZEV	2.53	2.53

TABLE C94-4.3.—CREDIT NEEDED IN LIEU OF
PURCHASING A LEV TO MEET THE MANDATE

NMHC+NO _x	Light HDV	Medium HDV
LEV	1.00	1.00

TABLE C94-5.—FLEET CREDIT TABLE BASED ON
REDUCTION IN CO. VEHICLE EQUIVALENTS FOR
HEAVY-DUTY VEHICLES—TABLE C94-5.1.—
CREDIT GENERATION: PURCHASING MORE
CLEAN-FUEL VEHICLES THAN REQUIRED BY
THE MANDATE

CO	Light HDV	Medium HDV	Heavy HDV
LEV	1.00	1.00	1.00
ULEV	2.00	2.00	2.00
ZEV	3.00	3.00	3.00

TABLE C94-5.2.—CREDIT GENERATION: PUR-
CHASING A ULEV OR ZEV TO MEET THE MAN-
DATE

CO	Light HDV	Medium HDV
LEV	0.00	0.00
ULEV	1.00	1.00
ZEV	2.00	2.00

TABLE C94-5.3.—CREDIT NEEDED IN LIEU OF
PURCHASING A LEV TO MEET THE MANDATE

CO	Light HDV	Medium HDV
LEV	1.00	1.00

[58 FR 11901, Mar. 1, 1993, as amended at 59
FR 50082, Sept. 30, 1994, 61 FR 128, Jan. 3,
1996]

PART 89—CONTROL OF EMISSIONS FROM NEW AND IN-USE NONROAD ENGINES

Subpart A—General

Sec.

- 89.1 Applicability.
- 89.2 Definitions.
- 89.3 Acronyms and abbreviations.
- 89.4 Section numbering.
- 89.5 Table and figure numbering; position.
- 89.6 Reference materials.
- 89.7 Treatment of confidential information.

APPENDIX A TO SUBPART A—INTERNAL COMBUSTION ENGINES MANUFACTURED PRIOR TO JULY 18, 1994

Subpart B—Emission Standards and Certification Provisions

- 89.101–96 Applicability.
- 89.102–96 Effective dates, optional inclusion.
- 89.103–96 Definitions.
- 89.104–96 Useful life, recall, and warranty periods.
- 89.105–96 Certificate of conformity.
- 89.106–96 Prohibited controls.
- 89.107–96 Defeat devices.
- 89.108–96 Adjustable parameters, requirements.
- 89.109–96 Maintenance instructions.
- 89.110–96 Emission control information label.
- 89.111–96 Averaging, banking, and trading of exhaust emissions.
- 89.112–96 Oxides of nitrogen, carbon monoxide, hydrocarbon, and particulate matter exhaust emission standards.
- 89.113–96 Smoke emission standard.
- 89.114–96 Special test procedures.
- 89.115–96 Application for certificate.
- 89.116–96 Engine families.
- 89.117–96 Test fleet selection.
- 89.118–96 Service accumulation.
- 89.119–96 Emission tests.
- 89.120–96 Compliance with emission standards.
- 89.121–96 Certificate of conformity effective dates.
- 89.122–96 Certification.
- 89.123–96 Amending the application and certificate of conformity.
- 89.124–96 Record retention, maintenance, and submission.
- 89.125–96 Production engines, annual report.
- 89.126–96 Denial, revocation of certificate of conformity.
- 89.127–96 Request for hearing.
- 89.128–96 Hearing procedures.
- 89.129–96 Right of entry.

Subpart C—Averaging, Banking, and Trading Provisions

- 89.201–96 Applicability.

- 89.202–96 Definitions.
- 89.203–96 General provisions.
- 89.204–96 Averaging.
- 89.205–96 Banking.
- 89.206–96 Trading.
- 89.207–96 Credit calculation.
- 89.208–96 Labeling.
- 89.209–96 Certification.
- 89.210–96 Maintenance of records.
- 89.211–96 End-of-year and final reports.
- 89.212–96 Notice of opportunity for hearing.

Subpart D—Emission Test Equipment Provisions

- 89.301–96 Scope; applicability.
- 89.302–96 Definitions.
- 89.303–96 Symbols/abbreviations.
- 89.304–96 Equipment required for gaseous emissions; overview.
- 89.305–96 Equipment measurement accuracy/calibration frequency.
- 89.306–96 Dynamometer specifications and calibration weights.
- 89.307–96 Dynamometer calibration.
- 89.308–96 Sampling system requirements for gaseous emissions.
- 89.309–96 Analyzers required for gaseous emissions.
- 89.310–96 Analyzer accuracy and specifications.
- 89.311–96 Analyzer calibration frequency.
- 89.312–96 Analytical gases.
- 89.313–96 Initial calibration of analyzers.
- 89.314–96 Pre- and post-test calibration of analyzers.
- 89.315–96 Analyzer bench checks.
- 89.316–96 Analyzer leakage and response time.
- 89.317–96 NO_x converter check.
- 89.318–96 Analyzer interference checks.
- 89.319–96 Hydrocarbon analyzer calibration.
- 89.320–96 Carbon monoxide analyzer calibration.
- 89.321–96 Oxides of nitrogen analyzer calibration.
- 89.322–96 Carbon dioxide analyzer calibration.
- 89.323–96 NDIR analyzer calibration.
- 89.324–96 Calibration of other equipment.
- 89.325–96 Engine intake air temperature measurement.
- 89.326–96 Engine intake air humidity measurement.
- 89.327–96 Charge cooling.
- 89.328–96 Inlet and exhaust restrictions.
- 89.329–96 Engine cooling system.
- 89.330–96 Lubricating oil and test fuels.
- 89.331–96 Test conditions.

APPENDIX A TO SUBPART D—TABLES

APPENDIX B TO SUBPART D—FIGURES

Subpart E—Exhaust Emission Test Procedures

- 89.401–96 Scope; applicability.